

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

LINDA L. SICIENSKI
Plaintiff,

v.

SAXON MORTGAGE SERVICES, INC.
Defendant.

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Civil Action No. **3:07cv00243-REP**

MOTION TO DISMISS DUE TO IMPROPER VENUE

COMES NOW Defendant Saxon Mortgage Services, Inc., by undersigned counsel, and pursuant to Rule 12(b)(3) of the Federal Rule Of Civil Procedure, hereby moves to dismiss the Plaintiff's Complaint due to improper venue, and in support thereof states as follows:

1. The proper venue for the Plaintiff's Complaint is either (1) a Court of competent jurisdiction sitting in Prince William County, Virginia or Tarrant County, Texas, or (2) a United States District Court whose jurisdiction includes Prince William County, Virginia or Tarrant County, Texas.

2. The Plaintiff has filed her Complaint in a district court which is not a proper venue.

WHEREFORE, Defendant Saxon Mortgage Services, Inc. respectfully requests that the Court dismiss the Plaintiff's Complaint due to improper venue.

Respectfully submitted,

SAXON MORTGAGE SERVICES, INC.
by Counsel

_____/s/_____
Robert A. Oliveri, Jr., Esquire

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Certificate of Service

I hereby certify that on this 21st day of May 2007, I will electronically file the foregoing with the Clerk of the Court using CM/ECF system, which will then send notification of such filing (NEF) to the following:

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